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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/468,437	06/06/1995	TAKEO HODA	3408/589	5230

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EXAMINER

NGUYEN, HUY THANH

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 04/24/2003

51

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/468,437

Applicant(s)

HODA ET AL. 

Examiner

HUY T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-22,33,34 and 40-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-22,33,34 and 40-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The indicated allowability of claims 20-22,33-34 and 40-50 are withdrawn in view of the newly discovered reference(s) to Taka and further consideration of Okamoto reference.
2. The AF amendment filed March 24, 2003 and April 9, 2003 have been entered. The finality of the rejection of the last Office action is withdrawn. The rejections based on the newly cited reference(s) and Okamoto follow.

Claim Rejections - 35 USC § 112

3. Claims 41, 43-46 and 50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 41, recites that "said first and second memories are semiconductor memories" that are already recited in claim 40.

In claim 43, line 10, there is no antecedent basis for "said second semiconductor memory."

Claim 50, line 2, there is no antecedent basis for "the selected status. "

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 20-30, 33, 43-44 and 47-50 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Okamoto (JP 6447177) in view of Sasaki et al (5,034,804).

Regarding claims 20-22, 43 - 44, and 47-49, Okamoto discloses a camera apparatus (Fig 1) comprising: a camera body; an image device (1) first memory (14) and second memory (2) that are semiconductor memories (IC SRAM) for storing the image signal from the image device; recording means (Fig. 1) for recording the image information on the first memory and second memory (See Abstract); detecting means for detecting a condition of a memory by detecting whether the memory is saturated; and changer means (18) for changing between a first condition (the first memory has no been saturated) and a second condition (the first memory has been saturated) , in the first condition the image from pickup device is stored in the first memory , and in the second condition the image information stored in the second memory. (See Abstract

of JP64-47177, and the admitted description of the applicant in the specification of the present application, page 2, lines 11-17, page 3, lines 22-25).

Okamoto fails to teach the use of a buffer memory for storing the image data. However, it is noted that using a buffer memory for storing the image data from a image pick up element is well known in the art as taught by Sasaki. Therefore, it would have Been obvious to one of ordinary skill in the art to modify Okamoto with Sasaki by using a buffer memory for storing the image signal from image pickup element to be supplied to the second memory in order to accurately control the timing of the image signal to be stored in the memories.

Regarding claim 50 and further for claim 49, Okamoto fails to teach detecting means for detecting an available capacity of a memory or connection of the memory and for generating an alarm to alert the user. Sasaki teaches a detecting means (CPU 24) for detecting an available capacity of one of the first and second memory and connection of the memory (column 9, lines 15-37) and generating an alarm to alert the user .

It would have been obvious to one of ordinary skill in the art to modify Okamoto with Sasaki by using a detecting means as taught by Sasaki with the apparatus of Takahashi for detecting an available capacity of the memory and for generating a representative of the result in order to inform the user the status of the memory thereby preventing error in the recording of the image signal.

Regarding claim 33, Okamoto as modified with Sasaki further teach a view finder

6. Claim 34 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Okamoto in view of Sasaki et al as applied to claims 20 above, further in view of Finelli.

Okamoto as modified with Sasaki fails to specifically teach the use of a printer for the camera as recited in claim 36. However, it is noted that using a printer for making a copy of the image is well known in the art as taught by Finelli (See Finelli, Figs. 1 and 3). Therefore, it would obvious to one of ordinary skill in the art to modify Okamoto with Finelli by providing a printer as taught by Finelli into the camera apparatus of Okamoto as modified with Sasaki in order to provide a copy of the selected select image to the user.

7. Claims 40-42 and 45-46 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Okamoto in view of Sasaki et al (5,034,804) and Taka (5,162,833).

Regarding claims 40-41 and 45-46, Okamoto discloses a camera apparatus (Fig 1) comprising: a camera body; an image device (1) first memory (14) and second memory (2) that are semiconductor memories (IC SRAM) for storing the image signal from the image device; recording means and reproducing means (Fig. 1) for recording and reproducing the image information (See Abstract); detecting means for detecting a condition of a memory by detecting whether the memory is full or saturated; and changing means (18) for changing between a first condition in which the first memory has not been saturated and a second condition in which the first memory is saturated , in the first condition the image information is stored in the first memory and in the second condition the image information is stored in the second memory (See Abstract

of JP64-47177. and the admitted description of the applicant in the specification of the present application, page 2, lines 11-17, page 3 ,lines 22-25).

Okamoto fails to teach the use of a buffer memory for storing the image data as recited in claim 40. However, it is noted that using a buffer memory for storing the image data from a image pick up element is well known in the art as taught by Sasaki. Therefore, it would have been obvious to one of ordinary skill in the art to modify Okamoto with Sasaki by using a buffer memory for storing the image signal from image pickup element to be supplied to the second memory in order to accurately control the timing of the image signal to be stored in the memories.

Okamoto fails to teach a detecting means for detecting an available capacity of a memory or connection of the memory and for generating an alarm to alert the user as recited in claim 47-48.

Sasaki teaches a detecting means (CPU 24) for detecting a available capacity of one of the first and second memory and connection of the memory (column 9, lines 15-37) and generating an alarm to alert the user .It would have been obvious to one of ordinary skill in the art to modify Okamoto with Sasaki by using a detecting means as taught by Sasaki with the apparatus of Takahashi for detecting an available capacity of the memory and for generating a representative of the result in order to inform the user the status of the memory thereby preventing error in the recording of the image signal.

Okamoto as modified with Sasaki further teaches means for reading image from a memory (See Sasaki) but fails to teach a selecting means for supplying the image signal from the first memory or the second memory to the reproducing device as recited

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in claims 42 and 45. However, it is noted reading the using a selecting means for selecting the image for selecting and outputting the image signals from different sources to a reproduction device provided in a camera body is well known in the art as taught by Taka. Taka (Fig. 1) teaches a camera having a first memory (10) and a second memory (12) for storing image information from an image pickup device and means for selecting either one of memories to reproduce image information. Therefore, it would have been obvious to one of ordinary skill in the art to modify Okamoto as modified with Sasaki by using a selecting means as taught by Taka for selectively outputting the image from the first memory or second memory to the reproducing device for viewing the selected image.

Regarding claim 42, Okamoto as modified with Sasaki further teaches a viewfinder for the camera.

Response to Arguments

8. Applicants argue that Okamoto does not teach a changer that changes between a first condition and a second condition. In response, the examiner disagrees. It is noted that Okamoto teaches a detecting means for detecting a condition of a memory by detecting whether the memory is full or saturated; and changing means (18) for changing between a first condition in which the first memory has not been saturated and a second condition in which the first memory is saturated, in the first condition the image information is stored in the first memory (14) and in the second condition the image information is stored in the second memory (22,2). Further it is noted that the camera as

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disclosed by Okamoto and Sasaki used for photographing operation to capture images and a memory condition is checked for each photographing operation (See Okamoto and Sasaki references .

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to 2600 TECH CENTER customer service whose telephone number is (703) 306-0377.

H.N
April 23, 2003


HUY T. NGUYEN
PRIMARY EXAMINER